

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re: DELMAR SHARP,

Debtor.

Case No. 06-13151

HON. AVERN COHN

ORDER GRANTING LEAVE TO APPEAL

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This is a Chapter 13 proceeding under the Bankruptcy Code. The Debtor is appealing the Order Denying Motion to Modify Case Management Order entered June 30, 2006. The Order is not a final order. However, 28 U.S.C. § 158(a)(3) provides for appeal of an interlocutory order with leave of the Court. Fed. Bankr. R. 8003(c) provides that where an appeal is improperly taken, it may be regarded as a motion for leave to appeal.

Accordingly, the Notice of Appeal filed July 10, 2006 will be treated as an application for leave to appeal. Leave to appeal is GRANTED.

No further papers need to be filed.

SO ORDERED.

Dated: October 4, 2006

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, October 4, 2006, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160